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successor in interest

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

Estate of Jacob Apodaca and Robert  
Apodaca, Jr.,  
Plaintiffs,  
vs.  
County of Merced, et al.,  
Defendants.

Case Nos. 1:23-cv-00171-JLT-SAB  
and 1:23-cv-00864-JLT-EPG

**Stipulation to Consolidate Related  
Cases and [Proposed] Order**

1 Plaintiffs Estate of Jacob Apodaca, Robert Apodaca, and Marisel Perez  
2 (collectively “Plaintiffs”) and defendants County of Merced, Merced County  
3 Sheriff’s Office (a department of County of Merced), Sheriff Vernon Warnke,  
4 Soto, Andrea Sweeney, and Ramon Granado (collectively “Defendants”) hereby  
5 submit the following stipulation to consolidate related cases:

6 Whereas, Plaintiffs Estate of Jacob Apodaca and Robert Apodaca, Jr.,  
7 filed an action in this district against Defendants, captioned *Estate of Jacob*  
8 *Apodaca and Robert Apodaca, Jr. v. County of Merced*, et al., Case No. 1:23-cv-  
9 00171-JLT-SAB on or about February 3, 2023;

10 Whereas, Plaintiff Marisel Perez filed an action in this district against  
11 Defendants, captioned *Marisel Perez v. County of Merced*, et al., Case No. 1:23-  
12 cv-00864-JLT-EPG on or about June 6, 2023;

13 Whereas, both complaints involve the same defendants, same events,  
14 common questions of law and fact and consolidation will avoid unnecessary  
15 costs and delays.

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by  
17 and between the Plaintiffs and Defendants, through their respective counsel of  
18 record herein, that the two complaints be consolidated and Case No. 1:23-cv-  
19 00171-JLT-SAB will be the lead case.

20  
21 IT IS SO STIPULATED.

22 Dated: October 2, 2023

Respectfully Submitted,  
LAW OFFICE OF MARK E. MERIN

/s/ Paul Masuhara  
(as authorized on October 2, 2023)

By: \_\_\_\_\_  
Paul Masuhara  
Attorneys for Plaintiffs Estate of Jacob  
Apodaca and Robert Apodaca Jr.,

1 Dated: September 28, 2023

Navab Law, APC

2 /s/ *Kaveh Navab*

3 (as authorized on September 28, 2023)

4 By: \_\_\_\_\_

5 Kaveh Navab

6 Attorneys for Plaintiff Marisel Perez

7 Dated: October 3, 2023

8 Respectfully Submitted,  
9 Merced County Counsel's Office

10 /s/ *Jenna M. Anderson*

11 By: \_\_\_\_\_

Jenna M. Anderson

12 Chief Deputy County Counsel

13 Attorneys for Defendants COUNTY OF  
14 MERCED, MERCED COUNTY SHERIFF'S  
15 OFFICE, and VERNON H. WARNKE, SOTO,  
16 ANDREA SWEENEY AND ROMAN  
17 GRANADO

18 **[PROPOSED] ORDER**

19 IT IS SO ORDERED that Case no. 1:23-cv-00171-JLT-SAB and Case No.  
20 1:23-cv-00864-JLT-EPG be consolidated. Case No. 1:23-cv-00171-JLT-SAB will  
21 be the lead case.

22 IT IS SO ORDERED.

23 Dated: **October 5, 2023**

24   
25 UNITED STATES DISTRICT JUDGE